

## Message Text

CONFIDENTIAL

PAGE 01 OSLO 02302 121404Z

43

ACTION L-03

INFO OCT-01 EUR-25 EA-11 ISO-00 CIAE-00 DODE-00 PM-07 H-03

INR-10 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 EB-11 ACDA-19 SAJ-01 OMB-01 NIC-01 DOTE-00

COME-00 DLOS-07 COA-02 FAA-00 SCI-06 CG-00 AEC-11

FEA-02 CEQ-02 TRSE-00 DRC-01 /175 W  
----- 126842

R 121034Z JUN 74

FM AMEMBASSY OSLO

TO SECSTATE WASHDC 8322

INFO AMEMBASSY COPENHAGEN

USMISSION NATO

AMEMBASSY HELSINKI

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY REYKJAVIK

AMEMBASSY STOCKHOLM

AMEMBASSY TOKYO

C O N F I D E N T I A L OSLO 2302

EO 11652 GDS

TAGS: PFOR, PBOR, ENRG, SV, NO, UR

SUBJECT: NORWEGIAN/SOVIET OFF-SHORE BOUNDARY

REFS: OSLO 1606 AND 1607

BEGIN SUMMARY: NORWAY'S PRESENT STRATEGY FOR THE OFF-SHORE BOUNDARY NEGOTIATIONS THIS FALL WITH THE USSR IS TO CLAIM THAT THE ISSUES OF OFF-SHORE MINERAL RIGHTS UNDER THE SVALBARD TREATY AND OF WHETHER SVALBARD HAS ITS OWN SHELF ARE NOT GERMAINE TO THE NEGOTIATIONS. IF THEY ARE TO BE DISCUSSED AT ALL, NORWAY WILL CLAIM THEY MUST BE DISCUSSED WITH ALL TREATY SIGNATORY COUNTRIES, NOT ONLY  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 OSLO 02302 121404Z

BILATERALLY WITH THE USSR. NORWAY'S IMPORTANT STAKE

IN ARCTIC COD, WHICH MIGRATE ALONG THE MEDIAN LINE, FURTHER COMPLICATE ACCEPTANCE OF ANY BOUNDARY OTHER THAN THAT LINE. NORWAY'S PRESENT STRATEGY COULD CAUSE FRICTION IF WE DISAGREE WITH THE NORWEGIAN POSITION ON THE SVALBADRD TREATY AND SHELF.

1. EMBASSY OFFICER RECENTLY DISCUSSED WITH DIRECTOR GENERAL FOR LEGAL AFFAIRS, MINISTRY OF FOREIGN AFFAIRS, ELIASSEN, NEGOTIATIONS SCHEDULED TO BEGIN IN OCTOBER/ NOVEMBER BETWEEN NORWAY AND USSR ON THE DELIMITATION OF THEIR OFF-SHORE BOUNDARY. ELIASSEN WILL PROBABLY HEAD NORWEGIAN SIDE FOR THE NEGOTIATIONS. DISCUSSION WAS PROMPTED BY A NORWEGIAN NEWSPAPER REPORT THAT NORWAY WILL ATTEMPT TO CONFINE NEGOTIATIONS TO DELIMITATION OF THE BOUNDARY AND TO LEAVE ASIDE ISSUES OF WHETHER SVALBARD HAS ITS OWN CONTINENTAL SHELF AND OF THE OFF-SHORE MINERAL RIGHTS OF SIGNATORIES OF THE 1920 SVALBARD TREATY.

2. ELIASSEN CONFIRMED THAT THIS WOULD BE THE INITIAL NORWEGIAN APPROACH. NORWAY HAD HAD NO CONTACT WITH THE SOVIETS ON THE BOUNDARY QUESTION SINCE PRIME MINISTER BRATTELI VISITED MOSCOW IN MARCH 1974, AND THE DISCUSSION THEN HAD BEEN CONFINED TO AGREEING ON DATES TO RESUME THE NEGOTIATIONS. THE ONLY POSSIBLE WAY IN WHICH THE QUESTION OF WHETHER SVALBARD HAD ITS OWN CONTINENTAL SHELF HAD ANY BEARING ON THE BOUNDARY QUESTION WAS, ACCORDING TO ELIASSEN, IN CONNECTION WITH POSSIBLE SOVIET CLAIMS TO MINERAL RIGHTS ON THE CONTINENTAL SHELF OFF SVALBARD UNDER THE 1920 SVALBARD TREATY. IF THE SOVIETS RAISED THE ISSUE, THEREFORE, NORWAY WOULD FIRST PRESS ITS CONTENTION THAT ISSUE NOT GERMAINE AND THEN STATE THAT OTHER CONTRACTING PARTIES TO 1920 TREATY ARE EQUALLY INVOLVED AND THAT ISSUE COULD NOT BE DISCUSSED BILATERALLY WITH USSR. HE CONCEDED, HOWEVER, THAT THE ISSUE WAS LIKELY TO ARISE.

3. ELIASSEN HAD NO IDEA WHAT POSITION THE SOVIETS MIGHT TAKE ON THE LOCATION OF THE BOUNDARY. A SECTOR LINE WAS PROBABLY MOST ADVANTAGEOUS TO THE USSR, BUT EVEN THAT DID NOT ANSWER THE BASIC CONCERN THE USSR HAD

CONFIDENTIAL

PAGE 03 OSLO 02302 121404Z

EXPRESSED DURING THE PREVIOUS NEGOTIATIONS WITH THE OVERALL SECURITY OF THE BARENTS SEA. AT THAT TIME NORWAY HAD POINTED OUT TO THE SOVIETS THAT ANY REASONABLE SETTLEMENT OF THE BOUNDARY NO MATTER HOW FAVORABLE TO THE USSR WOULD STILL LEAVE THE WESTERN PART OF THE SEA NORTH OF NORWAY UNDER NORWEGIAN JURISDICTION. THE ONLY SOVIET RESPONSE TO REPEATED REFERENCE TO THIS FACT WAS FURTHER VAGUE EXPRESSIONS OF CONCERN ABOUT THE SECURITY OF THE AREA AS A WHOLE.

4. ELIASSEN WENT OUT OF HIS WAY TO RULE OUT ANY SPECIAL DEALS WITH THE SOVIETS INVOLVING SVALBARD. HE VOLUNTEERED SPECIFICALLY THAT THERE WAS NO POSSIBILITY THAT NORWAY WOULD AGREE TO A BOUNDARY LINE MORE FAVORABLE TO THE USSR THAN A MEDIAN LINE IN EXCHANGE FOR SOVIET ACCEPTANCE OF NORWAY'S POSITION THAT SVALBARD DID NOT HAVE ITS OWN CONTINENTAL SHELF.

5. ELIASSEN MENTIONED THAT ARCTIC COD MIGRATE ALONG THE PATH OF THE MEDIAN LINE BETWEEN NORWAY AND THE USSR. THE ARCTIC COD CATCH WAS VERY IMPORTANT TO NORWAY, AND THE LOCATION OF THE BOUNDARY ALONG THE MEDIAN LINE WAS NECESSARY FOR THIS REASON AS WELL AS BECAUSE OF MINERAL RESOURCES. IF AS EXPECTED NORWAY EXTENDS ITS EXCLUSIVE FISHING ZONE AFTER THE CARACAS LOS MEETING, IT WILL BE NECESSARY TO DELINEATE THE EASTWARD BOUNDARY OF THIS EXTENDED ZONE. IF NORWAY AND THE USSR CANNOT AGREE ON THE LOCATION OF THEIR ENTIRE OFF-SHORE BOUNDARY, NORWAY MIGHT TRY TO OBTAIN AGREEMENT ON ENOUGH OF THE LINE NORTH OF THE MAINLAND FOR AN EXTENDED EXCLUSIVE FISHING ZONE. SUCH A LINE WOULD, HOWEVER, HAVE TO FOLLOW A MEDIAN LINE BECAUSE OF THE ARCTIC COD AND HE DOUBTED THE SOVIETS WOULD ACCEPT EVEN THIS LIMITED APPLICATION OF THE MEDIAN LINE PRINCIPLE.

6. ELIASSEN AGREED THAT AN ALTERNATIVE SOLUTION TO ARCTIC COD PROBLEM WAS A FISHING AGREEMENT WITH THE USSR. HE NOTED, HOWEVER, SOVIET HESITATION AND RELUCTANCE IN SIGNING THE RECENT NORWAY/USSR/UK QUOTA AGREEMENT ON ARCTIC COD. THIS ONE-YEAR AGREEMENT EXPIRES ON DECEMBER 31, 1974 AND IS NOT OVERLY SATISFACTORY BECAUSE FISHING BY OTHER COUNTRIES IS NOT

CONFIDENTIAL

PAGE 04 OSLO 02302 121404Z

RESTRICTED. EVEN IF SOVIETS AGREED TO ITS PROLONGATION FOR ANOTHER YEAR, EXTENSION OF NORWAY'S EXCLUSIVE FISHING ZONE WOULD CREATE DIFFICULTIES.

7. ELIASSEN BELIEVES THE SOVIETS MAY STRING OUT THE NEGOTIATIONS IN THE HOPE THAT PROLONGING THEM WILL WORK IN THEIR FAVOR. HOWEVER, HE BELIEVES NORWAY HOLDS STRONGER CARDS THAT THE USSR AND THAT GROWING INTERNATIONAL ACCEPTANCE OF THE MEDIAN LINE PRINCIPLE WILL OVER TIME STRENGTHEN RATHER THAN WEAKEN NORWAY'S HAND.

BYRNE

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TERRITORIAL SEA LIMIT, TREATY SIGNATURE, BOUNDARIES, NEGOTIATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 12 JUN 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** boyleja  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974OSLO02302  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D740151-0965  
**From:** OSLO  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1974/newtext/t19740652/aaaabsqj.tel  
**Line Count:** 165  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION L  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
**Previous Channel Indicators:**  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** OSLO 1606 AND 1607  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** boyleja  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 30 APR 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <30 APR 2002 by elyme>; APPROVED <24-Sep-2002 by boyleja>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** NORWEGIAN/SOVIET OFF-SHORE BOUNDARY  
**TAGS:** PFOR, PBOR, ENRG, SV, NO, UR  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005